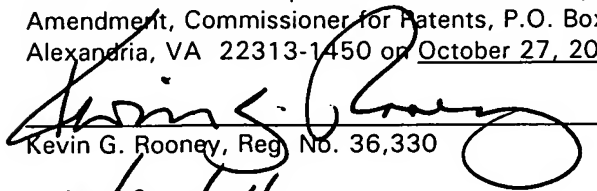


IFW



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2004


Kevin G. Rooney, Reg. No. 36,330

10/27/04
Date

Applicants: Paul A. Spence et al.
Serial No.: 10/695,380
Filed: October 28, 2003
Art Unit: 3738
Examiner: Unknown
Conf. No.: 5321
Title: HEART VALVE REPAIR APPARATUS AND METHODS
Atty Docket No.: SPEN-03C

Cincinnati, Ohio 45202

October 27, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

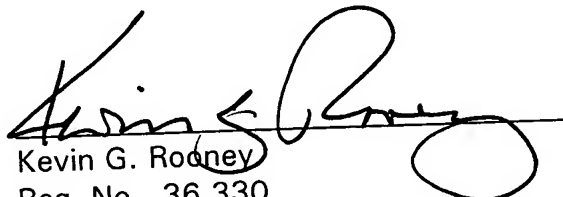
In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application.

The Examiner is urged to consider all of the cited documents and to make an independent evaluation of the teachings and materiality of each.

Applicants believe that this communication is being mailed before a first action on the merits and, therefore, no fee is due. If this is not the case, the Commissioner is authorized to charge deposit account 23-3000 for any required fees.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



Kevin G. Rodney
Reg. No. 36,330

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324
K:\SPEN\03C\ids-2.wpd

| | | | | | |
|---|--|--|--|------------------------------------|--------------------------|
| SUBSTITUTE FORM PTO-1449 (MODIFIED) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. SPEN-03C | SERIAL NO. 10/695,380 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | | | APPLICANT Paul A. Spence et al. | |
| | | | | FILING DATE 10/28/03 | GROUP 3738 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----|---------------|---------------|----------|-------|----------|-------------------------------|
| | A.A | | | | | | |
| | A.B | | | | | | |
| | A.C | | | | | | |
| | A.D | | | | | | |
| | A.E | | | | | | |
| | A.F | | | | | | |
| | A.G | | | | | | |
| | A.H | | | | | | |
| | A.I | | | | | | |
| | A.J | | | | | | |
| | A.K | | | | | | |

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION (YES/NO) |
|--|-----|--------------------|---------------------|-----------------------------|-------|----------|-------------------------|
| | A.L | 1034753 | 9/2000 | EP | | | |
| | A.M | 0860151 | 8/1998 | EP | | | |
| | A.N | 1034753 | 9/2000 | EP | | | |
| | A.O | 0595791 | 5/1994 | EP | | | |
| | A.P | 2708458 | 2/1995 | FR | | | |
| | A.Q | 01/19292 | 3/2001 | PCT | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

| | |
|-----|--|
| A.R | Steven F. Bollin MD et al., <u>Surgical Alternatives for Heart Failure</u> , The Journal of Heart and Lung Transplantation, July 2001 |
| A.S | Steven F. Bolling, MD, <u>Mitral Valve Reconstruction in the Patient with Heart Failure</u> , Heart Failure Reviews, 6, 2001 |
| A.T | Steven F. Bolling MD et al., <u>Surgical Alternatives for Heart Failure</u> , The Journal of Heart and Lung Transplantation, July 2001 |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

| | | | | | | | |
|--|-----|---|---------------------|------------------------------------|-------|--------------------------|-------------------------------|
| SUBSTITUTE FORM PTO-1449 (MODIFIED) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. SPEN-03C | | SERIAL NO. 10/695,380 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b)) | | | | APPLICANT Paul A. Spence et al. | | | |
| | | | | FILING DATE 10/28/03 | | GROUP 3738 | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | B.A | | | | | | |
| | B.B | | | | | | |
| | B.C | | | | | | |
| | B.D | | | | | | |
| | B.E | | | | | | |
| | B.F | | | | | | |
| | B.G | | | | | | |
| | B.H | | | | | | |
| | B.I | | | | | | |
| | B.J | | | | | | |
| | B.K | | | | | | |
| FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS | | | | | | | |
| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION (YES/NO) |
| | B.L | 01/87191 | 11/2001 | PCT | | | |
| | B.M | 95/03757 | 2/1995 | PCT | | | |
| | B.N | | | | | | |
| | B.O | | | | | | |
| | B.P | | | | | | |
| | B.Q | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication) | | | | | | | |
| | B.R | Iva A. Smolens et al., <u>Mitral Valve Repair in Heart Failure</u> , The European Journal of Heart Failure 2, 2000 | | | | | |
| | B.S | J. Q. Melo et al., <u>Atrioventricular Valve Repair Using Externally Adjustable Flexible Rings</u> , The Journal of Thoracic and Cardiovascular Surgery, November 1995 | | | | | |
| | B.T | James E. Chapman Jr. et al., <u>Adjustable Annuloplasty for Tricuspid Insufficiency</u> , The Annals of Thoracic Surgery, Pages 368-369, Vol. 46, No. 3, September 1988 | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |
| EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant. | | | | | | | |

SUBSTITUTE FORM PTO-1449
(MODIFIED)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
SPEN-03C

SERIAL NO.
10/695,380

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANT
Paul A. Spence et al.

(Use several sheets if necessary)

FILING DATE
10/28/03

GROUP
3738

(37 CFR 1.98(b))

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----|---------------|---------------|----------|-------|----------|-------------------------------|
| | C.A | | | | | | |
| | C.B | | | | | | |
| | C.C | | | | | | |
| | C.D | | | | | | |
| | C.E | | | | | | |
| | C.F | | | | | | |
| | C.G | | | | | | |
| | C.H | | | | | | |
| | C.I | | | | | | |
| | C.J | | | | | | |
| | C.K | | | | | | |

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION (YES/NO) |
|--|-----|--------------------|---------------------|-----------------------------|-------|----------|-------------------------|
| | C.L | | | | | | |
| | C.M | | | | | | |
| | C.N | | | | | | |
| | C.O | | | | | | |
| | C.P | | | | | | |
| | C.Q | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

| | | |
|--|-----|---|
| | C.R | L. Henry Edmunds, Jr., <u>IMR Redux - To Repair or Replace?</u> , Journal of Thoracic & Cardiovascular Surgery, August 18, 2001 |
| | C.S | Richard P. Cochran et al., <u>Effect of Papillary Muscle Position on Mitral Valve Function: Relationship to Homografts</u> , The Society of Thoracic Surgeons, 1998 |
| | C.T | Iva A. Smolens et al., <u>Mitral Valve Repair in Heart Failure</u> , The European Journal of Heart Failure 2, 2000 |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

| | | | | | | | |
|--|-----|--|---------------------|------------------------------------|-------|--------------------------|-------------------------------|
| SUBSTITUTE FORM PTO-1449 (MODIFIED) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. SPEN-03C | | SERIAL NO. 10/695,380 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | | | APPLICANT Paul A. Spence et al. | | | |
| | | | | FILING DATE 10/28/03 | | GROUP 3738 | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | D.A | | | | | | |
| | D.B | | | | | | |
| | D.C | | | | | | |
| | D.D | | | | | | |
| | D.E | | | | | | |
| | D.F | | | | | | |
| | D.G | | | | | | |
| | D.H | | | | | | |
| | D.I | | | | | | |
| | D.J | | | | | | |
| | D.K | | | | | | |
| FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS | | | | | | | |
| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION (YES/NO) |
| | D.L | | | | | | |
| | D.M | | | | | | |
| | D.N | | | | | | |
| | D.O | | | | | | |
| | D.P | | | | | | |
| | D.Q | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication) | | | | | | | |
| | D.R | Steven F. Bolling, MD, <u>Mitral Valve Reconstruction in the Patient with Heart Failure</u> , Heart Failure Reviews, 6, 2001 | | | | | |
| | D.S | | | | | | |
| | D.T | | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |
| EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant. | | | | | | | |